

Scott M. Riemer (SR 5005)
RIEMER & ASSOCIATES LLC
60 East 42nd Street, Suite 1750
New York, New York 10165
(212) 297-0700
sriemer@riemerlawfirm.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HOWARD EPSTEIN,

Plaintiff,

09 CV 5608 (WHP)(MHD)

-against-

NOTICE OF MOTION

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

ECF Case

Defendant.

-----X

PLEASE TAKE NOTICE that, upon the annexed affirmation of Scott M. Riemer, dated June 13, 2012, affidavit of Audrey Beerman, dated June 13, 2012, together with exhibits thereto, and upon all prior proceedings herein, plaintiff will move this Court before the Honorable William H. Pauley, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on August 24, 2012 at 10:00 A.M., for an order granting summary judgment in favor of plaintiff pursuant to Fed. R. Civ. P. Rule 56, and for such other relief as the Court deems just and proper.¹

Dated: New York, New York
June 13, 2012

RIEMER & ASSOCIATES LLC
60 East 42nd Street, Suite 1750
New York, New York 10165
(212) 297-0700
sriemer@riemerlawfirm.com

By: /s/Scott M. Riemer
Scott M. Riemer (SR5005)

¹ The parties requested an extension to file the Joint 56.1 Statement by facsimile dated June 13, 2012.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 13, 2012, I served a true and complete copy of the foregoing Notice of Motion by transmitting the same by electronic mail to the following individuals at the e-mail addresses indicated:

Michael H. Bernstein, Esq.
Sedgwick LLP
125 Broad Street, 39th Floor
New York, New York 10004-2400
Tel.: (212) 422-0202
Fax: (212) 422-0925
Attorneys for Defendants

I also certify that this document filed through the ECF system will be sent electronically to all registered participants on June 13, 2012.

Dated: New York, New York
June 13, 2012

/s/Scott M. Riemer
Scott M. Riemer (SR5005)